IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRI.W.P.NO.752 OF 2006

Suresh alias Jawahar Chelaram ..Petitioner

Vs.

The State of Mah. & Ors. ..Respondents

...

Mr.V.T.Tulpule Advocate for Petitioner
Mr.V.B.Konde-Deshmukh A.P.P. for State

...

CORAM: D.G.DESHPANDE AND SMT.V.K.TAHILRAMANI,JJ.

DATE : APRIL 26,2006

P.C.:

1. Heard the learned advocate for the Petitioner and learned A.P.P. for the State.

2. The petitioner is seeking police protection. The petitioner is engaged in construction business. Earlier, the petitioner had been fired at. In relation to the said incident, a complaint came to be registered under Sections 307, 387 etc. of IPC vide C.R.no. 549 of 1995. Thereafter, again in December, 2005 the petitioner received threats from Chota Rajan gang and demand of amount of Rs.5 crore was made by them, hence, the petitioner sought police protection.

3. Mr.V.B.Konde-Deshmukh, the learned A.P.P. has tendered the affidavit of Mr.Jagtap, Senior Police Inspector of Vashi Police Station. In the said affidavit in para no.9, it is stated that regarding the threats from Chota Rajan gang of dire consequences to the life of the petitioner and his family members, inquiry in that respect is still going on. In para 10 of the affidavit, it is stated that it has not been revealed from which country the threatening calls are received by the petitioner. Therefore, the Deputy Commissioner of Police (Crime), Navi Mumbai has written a letter to the concerned Telephone Company for the details of the said threatening calls. Reply to the said letter is awaited. In the said affidavit, it is also stated that further inquiry is in progress.

4. As far as police protection is concerned, the issue as to whether police protection is to be granted to a particular person, whether the said police protection is to be continued or to be removed, is to be considered by a Committee of five members headed by the Director General of Police, Maharashtra State. The Committee also consists of

Commissioner of Police or his representative. The case of the petitioner has admittedly not been placed before the Committee.

5. Looking to the earlier attack on the petitioner and on looking to the recent threatening calls made to the petitioner of which the inquiry is going on, we are of the opinion that the petitioner should be provided police protection. The police protection granted by this Court to the petitioner by order dated 5.4.2006, shall continue till the case of the petitioner is considered by the above mentioned Committee. In case, the prayer of the petitioner for police protection is rejected by the Committee, the police protection granted to the petitioner, shall continue for a period of four days from the date of communication of such decision to the Petitioner.

6. The petition is disposed of with above directions.

[D.G.DESHPANDE, J.]

[SMT.V.K.TAHILRAMANI,J.]